

109TH CONGRESS
2D SESSION

H. RES. 1008

Amending the Rules of the House of Representatives to provide for
transparency of earmarks requests.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2006

Mr. MOORE of Kansas (for himself, Mr. BARROW, Mr. SALAZAR, Mr. CUELLAR, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. DELAHUNT, Ms. HOOLEY, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. ISRAEL, and Mr. VAN HOLLEN) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Amending the Rules of the House of Representatives to
provide for transparency of earmarks requests.

1 *Resolved*, That (a) rule XXI of the Rules of the House
2 of Representatives is amended by adding at the end the
3 following new clause:

4 “7. (a) It shall not be in order to consider any bill
5 or joint resolution containing an earmark unless—

6 “(1) a written request for the inclusion of such
7 earmark is sent to the chairman and ranking mem-
8 ber of the committee of primary jurisdiction (and, in
9 the case of the Committee on Appropriations, also to

1 the chairman and ranking member of the sub-
2 committee of jurisdiction) at least 7 days before
3 such earmark or bill including such earmark is
4 scheduled to be voted on by the committee or by the
5 House;

6 “(2) such request includes the name of the
7 Member, Delegate, or Resident Commissioner spon-
8 soring the earmark; the name and address of the in-
9 tended recipient of the earmark; the purpose of the
10 earmark; and a statement of whether the Member,
11 Delegate, or Resident Commissioner sponsoring the
12 earmark has a financial interest in the earmark or
13 in the intended recipient of the earmark;

14 “(3) the applicable committee makes available
15 on its Internet website the information sent to it
16 pursuant to this clause respecting such earmark
17 when such bill or joint resolution is ordered re-
18 ported.

19 “(b) As used in this clause, the term ‘earmark’ means
20 any provision of a bill or joint resolution, or report there-
21 on, that specifies the identity of an entity, including States
22 and local units of government, but excluding any Federal
23 agency, Federal facility, or Federal lands, to receive any
24 moneys, grant, loan, loan guarantee, contract, or tax ben-

1 eft, which is included in an appropriation, authorization
2 or tax measure.

3 “(c) A rule or order reported by the Committee on
4 Rules that waives this clause or all or unspecified points
5 of order may not be called up for consideration over the
6 objection of any Member, except when so determined by
7 a vote of two-thirds of the total membership of the House.
8 A question of consideration under this clause is debatable
9 for 30 minutes, equally divided by a proponent of the ques-
10 tion and an opponent.”.

11 (b) Rule XXII of the Rules of the House of Rep-
12 resentatives is amended by adding at the end the following
13 new clause:

14 “13. (a)(1) It shall not be in order to consider a con-
15 ference report on a bill or joint resolution referred to in
16 clause 7 of rule XXI unless the joint explanatory state-
17 ment accompanying such conference report includes a list
18 of earmarks in the conference report or joint statement
19 (and the names of Members of the House who submitted
20 requests to the committee for earmarks included in such
21 list and all other information required under such clause)
22 that were not committed to the conference committee by
23 either House.

24 “(2) It shall not be in order to consider a rule or
25 order that waives the application of subparagraph (1).

1 “(3) As used in this clause, the term ‘earmark’ has
2 the meaning given such term in clause 7 of rule XXI and
3 language in an accompanying joint statement of man-
4 agers.

5 “(d) It shall not be in order to consider a conference
6 report until 48 hours after the list and other information
7 required under paragraph (a) is made available on its
8 Internet website by the committee with primary subject
9 matter jurisdiction over such conference report.”.

10 (c) Clause 2 of rule II of the Rules of the House of
11 Representatives is amended by adding at the end the fol-
12 lowing new paragraph:

13 “(l) The Clerk shall maintain, and make available to
14 the public over the Internet, without a fee or other access
15 charge, in a searchable, sortable, and downloadable man-
16 ner, an electronic database that would link to all com-
17 mittee Internet websites to provide access to the informa-
18 tion regarding earmarks that is made available by such
19 committees pursuant to clause 7 of rule XXI and clause
20 13 of rule XXII.”.

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